

REMARKS

This Response is submitted in reply to the Office Action dated September 24, 2007. Claims 14-25 are currently pending. Claims 14 and 25 are in independent form and are hereby amended. No new matter has been added by way of these amendments. Enclosed is a One-Month Extension of Time to reply to the Office Action. Please charge deposit account 02-1818 for all fees due in connection with this Response.

The Office Action rejected claims 14 and 25 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 6,968,309 to Makinen et al. ("Makinen") in view of U.S. Patent No. 6,721,707 to Chu et al. ("Chu"). In light of the claim amendments made herein, Applicants respectfully disagrees with, and traverses, such rejections.

Independent claim 14 now recites, among other elements, "determining if the error concealment was performed by evaluating the data received and analyzing the data statistically" and "the reliability information being indicative of whether the error concealment was performed." Similarly, independent claim 25 now recites, among other elements, "determining if the error concealment was performed by evaluating and statistically analyzing the received data" and "the reliability information being indicative of whether the error concealment was performed."

Makinen and *Chu*, alone and in combination, fail to teach the foregoing claimed elements for at least the following reasons. *Chu* makes no mention of "error concealment." *Makinen* merely describes a method of performing "error concealment." *Makinen* does not teach determining if the error concealment was performed by statistically analyzing received data as currently claimed. In addition, *Makinen* does not teach generating (or creating) reliability information indicative of whether the error concealment was performed as currently claimed.

By statistically determining if error concealment was performed (as opposed to simply being supplied with an on/off signal from a circuit that performed the error concealment), a backwards compatibility advantage is gained. As described by the specification:

A significant advantage of this method is that no explicit information of a receiver about the use of error concealment is needed, making it suitable for accessories as well. If this method is used for external CTM (Cellular Text telephone Modem) add-on devices, the CTM device functions without adaptation with different makes of mobile radio terminals. The present invention can be used to come to a reliable decision as to whether the received useful information has been corrupted by error concealment. Furthermore, the error rates during transmission can be minimized, which represents a major advantage, particularly for emergency calls. (Paragraph 0005; emphasis added)

Each of the other pending claims depends directly or indirectly from independent claim 14. Therefore, for the reasons provided above, Applicants submit that all of the pending claims are in condition for allowance.

An earnest endeavor has been made to place this application in condition for formal allowance, and in the absence of more pertinent art such action is courteously solicited. If the Examiner has any questions regarding this Response, applicants respectfully request that the Examiner contact the undersigned.

The Commissioner is hereby authorized to charge deposit account 02-1818 for any fees which are due and owing.

Respectfully submitted,

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